

BY FAX

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

SIX4THREE, LLC, a Delaware limited liability
company,

Plaintiff,

v.

FACEBOOK, INC., a Delaware corporation;
MARK ZUCKERBERG, an individual;
CHRISTOPHER COX, an individual;
JAVIER OLIVAN, an individual;
SAMUEL LESSIN, an individual;
MICHAEL VERNAL, an individual;
ILYA SUKHAR, an individual; and
DOES 1-50, inclusive,

Defendants.

Case No. CIV 533328

Assigned for all purposes to Hon. V. Raymond
Swope, Dept. 23

**[PROPOSED] ORDER GRANTING
DEFENDANT FACEBOOK, INC.'S EX
PARTE APPLICATION FOR AN ORDER
SHORTENING TIME FOR DEPOSITIONS**

Dept: 23 (Complex Civil Litigation)
Judge: Honorable V. Raymond Swope

FILING DATE: April 10, 2015
TRIAL DATE: April 25, 2019

CIV533328

OFS

Order sent for signature to Department

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RECEIVED
APR 11 2019
SUPERIOR COURT
CIVIL DIVISION

1 The Court, upon reviewing the *ex parte* application brought by Defendant Facebook, Inc. for an
2 order shortening time for depositions;

3 IT IS HEREBY ORDERED:

4 1. The Court GRANTS Facebook's *ex parte* application. The Court hereby grants Facebook
5 leave to serve deposition notices or subpoenas on shortened time on Ted Kramer and Thomas
6 Scaramellino. Facebook may notice each deposition for any date up to and including April 15, 2019.
7 The duration of each deposition shall be limited to two hours of questioning.

8 2. For good cause shown, the Court GRANTS Facebook leave to take a subsequent
9 deposition of Ted Kramer and Thomas Scaramellino. The two-hour deposition ordered above shall not
10 be deducted from Facebook's deposition time for these subsequent depositions.

11 3. The Court ORDERS Vestigant—the neutral third party forensic examiner appointed in
12 this matter—to search for and produce certain communications within 48 hours of receiving data
13 collected by Stroz Friedberg in this matter. Specifically, the Court orders Vestigant to search that data
14 for communications between Six4Three or its legal team and the e-mail domains named in Exhibit 3 to
15 the Declaration of Zachary Abrahamson in Support of Defendant Facebook, Inc.'s *Ex Parte* Application
16 for an Order Shortening Time for Depositions (April 11, 2019).

17 IT IS SO ORDERED.

18
19 Dated: _____

Honorable V. Raymond Swope
Judge of the Superior Court of California

PROOF OF SERVICE

I am employed in San Francisco County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is 217 Leidesdorff Street, San Francisco, CA 94111.

On April 11, 2019, I served the following documents in the manner described below:

[PROPOSED] ORDER GRANTING DEFENDANT FACEBOOK, INC.'S EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME FOR DEPOSITIONS

☒ **BY ELECTRONIC SERVICE:** By electronically mailing a true and correct copy through Durie Tangri's electronic mail system from zabrahamson@durietangri.com to the email addresses set forth below.

On the following part(ies) in this action:

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Attorney for Birnbaum & Godkin, LLP

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct. Executed on April 11, 2019, at San Francisco, California.

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Zachary G. F. Abrahamson